

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

AYANNA KEISHA BROWN,

Plaintiff,

v.

TRANS UNION LLC,

Defendant.

CASE NO. 1:20-cv-00511

DEFENDANT TRANS UNION LLC'S NOTICE OF REMOVAL

COMES NOW, Trans Union LLC ("Trans Union"), and files this Notice of Removal pursuant to 28 U.S.C. §1446(a) and in support thereof would respectfully show the Court as follows:

A. Procedural Background

1. On or about February 21, 2020, Plaintiff Ayanna Keisha Brown ("Plaintiff") filed the Complaint in this action in the Second Judicial District Court, Bernalillo County, New Mexico, Case No. D-202-CV-2020-01401 ("State Court Action") alleging violations of the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. § 1681, *et seq.*, against Trans Union.

2. The time period for filing a responsive pleading in the State Court Action has not expired as of the filing of this Notice of Removal. No orders have been entered in the State Court Action as of the filling of this Notice of Removal.

3. Trans Union LLC was served with Plaintiff's Complaint on April 27, 2020. This Notice of Removal is being filed within the thirty (30) day time period required by 28 U.S.C. §1446(b).

B. Grounds for Removal

4. The present suit is an action over which this Court has original jurisdiction pursuant to 28 U.S.C. § 1331, as it is a civil action founded on a claim or right arising under the

laws of the United States, and may be removed to this Court by Trans Union pursuant to the provisions of 28 U.S.C. § 1446(b). Removal is thus proper because Plaintiff's claims present a federal question. 28 U.S.C. §§ 1331 and 1441(a). In the Complaint, Plaintiff seeks damages for Trans Union's alleged violations of the FCRA, 15 U.S.C. § 1681 *et seq.*

5. Pursuant to 28 U.S.C. § 1367, this Court also has supplemental jurisdiction over any state law claims asserted by Plaintiff.

C. Compliance with Procedural Requirements

6. Pursuant to 28 U.S.C. § 1446(b), this Notice is being filed with this Court within thirty (30) days after Trans Union was served with the Complaint, the initial pleading setting forth the claims for relief upon which Plaintiff's action is based.

7. Pursuant to 28 U.S.C. § 1441(a), venue of the removal action is proper in the District of New Mexico, Albuquerque Division because it is in the district and division embracing the place where the state court action is pending.

8. Promptly after the filing of this Notice of Removal, Trans Union shall give written notice of the removal to the Plaintiff and will file a copy of this Notice of Removal with the Second Judicial District Court, Bernalillo County, New Mexico, as required by 28 U.S.C. § 1446(d).

9. Pursuant to 28 U.S.C. § 1446(a), a copy of all process, pleadings, and orders served upon the Trans Union in the State Court Action is attached hereto as **Exhibit A**.

10. Trial has not commenced in the Second Judicial District Court, Bernalillo County, New Mexico.

WHEREFORE, Trans Union LLC respectfully prays that the action be removed to this Court and that this Court assume full jurisdiction as if it had been originally filed here.

Respectfully submitted,

**QUILLING, SELANDER, LOWNDS, WINSLETT &
MOSER, P.C.**

/s/ Paul W. Sheldon

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Counsel for Trans Union LLC

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of May 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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/s/ Paul W. Sheldon
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EXHIBIT A